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December 21, 2010

VIA ECF

Honorable Robert M. Levy
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Mark Kraft, Trustee, v. Lincoln Benefit Life Company
Docket No. 10-2018
Our File No. 4359.2301

Dear Judge Levy,

We represent plaintiff Mark Kraft, Trustee of the Marilyn Mandel Irrev. Trust DTD 6/12/05. We respond herewith to the December 17, 2010 letter of Andrew T. Hahn, Esq., counsel for defendant Lincoln Benefit Life Company, in regard to his request for a pre-motion conference in anticipation of filing a motion to compel against plaintiff.

The defendant addresses a number of issues in his letter but, the only real issue to be addressed in regard to plaintiff is the extent of his discovery responses. This letter is therefore limited to this issue.

Plaintiff has now responded to Defendant's First Request for the Production of Documents and First Set of Interrogatories. The 71 documents produced represent all of the responsive documents that plaintiff has in his possession. The documents were produced after considerable effort on Mr. Kraft's part to review his files and e-mails for responsive materials. There are simply no additional documents available from this source.

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As plaintiff has responded to all discovery propounded upon him, there is no need for a premotion conference as to plaintiff.

Thank you for your consideration.

Very truly yours,

SCHINDEL, FARMAN, LIPSIUS,
GARDNER & RABINOVICH LLP

A handwritten signature in black ink, appearing to read 'Ira S. Lipsius', with a long horizontal stroke extending to the right.

Ira S. Lipsius

ISL:bl